

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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THE NEW YORK TIMES COMPANY and
JOHN T. EWING, JR.,

Plaintiffs,
-against-

19 CIVIL 1424 (KPF)

JUDGMENT

UNITED STATES DEPARTMENT OF JUSTICE,

Defendant,

VOLKSWAGEN AG,

Intervenor.

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Whereas Defendant U.S. Department of Justice and Intervenor Volkswagen AG having moved for summary judgment (Doc. ##26 and 30, respectively), and Plaintiffs The New York Times Company and John T. Ewing, Jr., having cross-moved for summary judgment. (Doc. #34), and the matter having come before the Honorable Katherine Polk Failla, United States District Judge, and the Court, on February 3, 2021, having rendered its first Opinion and Order (Doc. # 36), denying Defendant's motion, denying Intervenor's motion, denying Plaintiff's motion, and directing Defendant to produce a full, unredacted copy of the Report and an accompanying legend for *in camera* review, and the Court, on June 27, 2022, after completing a thorough *in camera* review of the Report, having rendered its second Opinion and Order (Doc. #68), ordering Defendant to produce a version of the Report consistent with said Opinion and Order, and on September 22, 2022, having issued its Memo Endorsed Order, directing the Clerk of Court to enter judgment on its two Opinion and Orders, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated February 3, 2021 (Doc. #60), and its Opinion and Order dated June 27, 2022 (Doc. #68), Defendant's motion for summary judgment is DENIED, Intervenor's motion for summary judgment is DENIED, and Plaintiffs' cross-motion for summary judgment is also DENIED. Defendant shall produce a version of the Report that is consistent with the Opinion and Order dated June 27, 2022.

Dated: New York, New York

September 27, 2022

RUBY J. KRAJICK

Clerk of Court

BY: *K. Mangold*

Deputy Clerk